Government of Maharashtra
Urban Development Department,
Mantralaya, Mumbai 400 032.

Dated 16th October, 2001.

ORDER

Maharashtra Regional and Town Planning Act, 1966.

No. TPS-GEN-1001/124/UD-13:

The Development Control Regulations for some cities/town, provide for grant of additional FSI in respect of buildings of educational, medical, Governmental or Institutional use. For example, Development Control Regulations for Greater Mumbai 1991, not only contain the aforesaid provision, but also provide for levying a premium determined by Government toward grant of such additional FSI, at the rates as may be determined by Government. These regulations further provide that such premium shall be paid to the Government, out of which, 50% amount shall be payable to the Corporation;

However, it has been observed that, Development Control Regulations for cities/formal other than Greater Mumbai, do contain permission for levy of premium, but do not categorically provide for sharing of the premium amount between the Government and the Planning Authority;

This issue has been examined further, and it is felt expedient that a uniform policy everywhere should be followed in regard to sharing of the premium amount, between the Government and the Planning Authority;

In view of the facts and circumstances, referred to above, Government is pleased to issue the following directions under section 37 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to all the Municipal Corporations (wherever applicable, except the Municipal Corporation of Greater Mumbai);

DIRECTIONS

All the Municipal Corporations (except the Mumbai Municipal Corporation) are directed under section 37(1) of the said Act to initiate a proposal of modification to modify the relevant provisions of Development Control Regulation wherever necessary, regarding grant of additional FSI to the building and education, medical institutional users or starred category residential user as under.

1) **Buildings of Educational and Medical Institutions:**

The Commissioner may permit, in consultation with Government, FSI specified in table .... to be exceeded in respect of buildings of educational and medical institutions on independent plots situated in 'R2' Zone, by 100% subject to condition that, premium if any, as may be determined by Government shall be paid to Government out of which 50% shall be payable to Corporation. Provided further that no condonation in the required open space, parking spaces and other requirements as per regulations shall be allowed while granting such additional FSI.

2) **Building of starred category hotels:**

With the previous approval of Government and subject to payment of such premium as may be fixed by Government and paid (out of which 50% shall be payable to the Corporations) and subject to such other terms and conditions as may specify, the FSI in Table ...... may be permitted to be exceeded in the case of buildings three star category and above starred hotels in independent plots and under one establishment as approved by Department of Tourism by a maximum of 50% over the normal permissible FSI.

No condonation in the required open space, parking and other requirement as in these regulations shall be allowed in case of such additional FSI.

By order and in the name of the Governor of Maharashtra,

(A.H. Naik)
Under Secretary to Government.

To:

The Commissioner –

Pune/Pimpri-Chinchwad/Kolhapur/Solapur/Sangli-Miraj-Kupwad/ Thana/Kalyan-Dombivali/Ulhasnagar/Navi Mumbai/Amravati/Nagpur/ Nanded Waghala /Nashik/Aurangabad/Akola.

Copy submitted for information and necessary action –

1) Director of Town Planning, Maharashtra State, Pune.
2) Deputy Director of Town Planning, Pune /Konkan Bhavan Division/ Amravati/Nagpur/Aurangabad/Nashik.
3) Deputy Director of Town Planing, URC.
4) UD-9,11,12,12 and 30.